

for individuals, the person's job title and employer for the following:

(1) The person originating the account, if the special account is a house omnibus or customer omnibus account; or

(2) The person (*i.e.*, individual, corporation, partnership, etc.) who owns the special account, if such person (or an employee or officer) also controls the trading of the special account. And, in addition:

(i) The registration status of the person as a commodity trading advisor or a securities investment advisor;

(ii) the legal organization of the person and the person's principal business or occupation;

(iii) account numbers and account names included in the special account, if different than supplied in paragraph (b)(2) of this section;

(iv) the name and location of all persons not identified in paragraph (b)(2) of this section having a ten percent or more financial interest in the special account, indicating those having discretionary trading over the account; and

(v) for special accounts with five or fewer persons having trading authority, the names and locations of all persons with trading authority that have not been identified in paragraphs (b)(2) or (b)(2)(iv) of this section; or

(3) the account controller, if trading of the special account is controlled by a person or legal entity who is an independent account controller for the account owners as defined in §150.1(e). And, in addition:

(i) the registration status of the person as a commodity trading advisor or a securities investment advisor;

(ii) if ten or more accounts are controlled by the independent advisor, the account number and the name of each commodity pool that is controlled by the advisor and the name and location of the commodity pool operator;

(iii) if fewer than ten accounts are under control of the independent advisor, for each account the account number and the name and location of each person having a ten percent or more financial interest in the account. For commodity pools, provide the account number, name of the pool, and name

and location of the commodity pool operator; and

(iv) on call by the Commission or its designee, for each account controlled by the independent advisor, the account number and account name and the name and location of each person having a ten percent or more financial interest in the account.

(c) Other accounts. If the person identified in paragraphs (b)(1), (b)(2) or (b)(3) of this section either controls or has a financial interest of ten percent or more in an account *not* included in this special account, report the account number and the name of the account.

(d) Commercial use. For futures or options, commodities in which positions or transactions in the account are associated with a commercial activity of the account owner in a related cash commodity or activity (*i.e.*, those considered as hedging, risk-reducing, or otherwise off-setting with respect to the cash commodity or activity).

(e) Account executive. The name and business telephone number of the associated person of the FCM who has solicited and is responsible for the account or, in the case of an introduced account, the name and business telephone number of the introducing broker who introduced the account.

(f) Reporting firm. The name and address of the FCM clearing member, or foreign broker carrying the account, the signature, title, and business phone of the authorized representative of the firm filing the report, and the date of signing the form 102.

(g) Form 102 updates. If, at the time an account is in special account status and a form 102 filed by an FCM, clearing member, or foreign broker is then no longer accurate because there has been a change in the information required under paragraph (b) of this section since the previous filing, the FCM, clearing member, or foreign broker shall file an updated form 102 with the Commission or the contract market, as appropriate, within three business days after such change occurs.

[61 FR 6312, Feb. 20, 1996]

§ 17.02 Place and time of filing reports.

Unless otherwise instructed by the Commission or its designee, the reports

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required to be filed by FCMs, clearing members, and foreign brokers under §§17.00 and 17.01 shall be filed at the nearest appropriate Commission office as specified in paragraphs (a), (b), and (c) of this section, wherein the times stated are eastern times for information concerning markets located in that time zone, and central time for information concerning all other markets.

(a) For data submitted on compatible data processing media:

(1) At the Commission's New York or Chicago Regional Office if the information is supplied on magnetic tape or, at the Commission's New York, Chicago or Kansas City Regional Office if the information is supplied on magnetic diskette, at such time as the information is first available provided that it is received in the appropriate office no later than 10:30 a.m. on the business day following that to which the information pertains;

(2) At the Commission's Chicago Regional office if the information is submitted via dial-up data transmission at such time as the information is first available provided that it is received in such office no later than 11:00 a.m. on the business day following that to which the information pertains.

(b) For data submitted in hard-copy form pursuant to §§17.00 (a), or (h) at a Commission office by facsimile or as otherwise specified in accordance with instructions by the Commission or its designee. Data in hard-copy form required under §17.00(a) shall be submitted no later than 9 a.m. on the business day following that to which the information pertains.

(c) For data submitted pursuant to §17.01 on the form 102;

(1) on call by the Commission or its designee, the type of special account specified in 1(a), 1(b), or 1(c) of form 102, and the name and location of the person to be identified in 1(d) on the form 102 by facsimile or telephone on the same day that the special account in question is first reported to the Commission; and

(2) a completed form 102 within three business days of the first day that the

special account in question is reported to the Commission.

(Approved by the Office of Management and Budget under control number 3038-0009)

[51 FR 4719, Feb. 7, 1986, as amended at 61 FR 6313, Feb. 20, 1996]

§17.03 Delegation of authority to the Director of the Division of Economic Analysis and to the Executive Director.

The Commission hereby delegates, until the Commission orders otherwise, the authority set forth in paragraphs (a) and (b) of this section to the Director of the Division of Economic Analysis and the authority set forth in paragraph (c) of this section to the Executive Director to be exercised by such Director or by such other employee or employees of such Director as designated from time to time by the Director.

(a) Pursuant to §17.00(a) the authority to determine whether futures commission merchants, clearing members and foreign brokers can report the information required under Rule 17.00(a) on series '01 forms or updated Commission supplied computer printouts upon a determination by the Director that such person technologically is unable to provide such information on compatible data processing media.

(b) Pursuant to §§17.00(h) and 17.02, the authority to approve the format and coding structure for error reports on computer printouts and to instruct and/or approve the time and Commission office at which the information required under Rules 17.00 and 17.01 must be submitted by futures commission merchants, clearing members and foreign brokers provided that such persons are unable to meet the requirements set forth in §17.02; and

(c) Pursuant to §17.00(a), the authority to approve the use of data processing media other than compatible data processing media as that term is defined in §15.00(1) and the authority to approve a format and coding structure other than that set forth in §17.00(g).

(Approved by the Office of Management and Budget under control number 3038-0009)

[51 FR 4719, Feb. 7, 1986]